IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 1ST DECEMBER 2006 / 10TH AGRAHAYANA 1928

Bail Appl..No. 7098 of 2006()

CRIME NO.468/06 OF OTTAPPALAM POLICE STATION

PETITOINER/ACCUSED :

ABOOBACKER SIDHIQUE,
S/O.ABDUL MAJEED, PADINJAREKKARA VEEDU,
MANOOR-WEST, VENGASSERRY.

BY ADV. SRI.SURIN GEORGE IPE

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REP.BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA
AT ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No. 7098 OF 2006

DATED THIS THE 1ST DAY OF DECEMBER, 2006

O R D E R

Petitioner who is the sole accused in Crime No.468/06 of Ottappalam Police Station for an offence punishable under section 376 IPC, seeks anticipatory bail. The alleged occurrence took place on 2.12.2005 on which day the 17 year old victim by name Savithri was allegedly ravished by the petitioner.

2. It is too early to conclude that the allegation from the defacto complainant is false and that the petitioner is not guilty of the offence alleged and that the delay in lodging the complaint is fatal to the prosecution. Anticipatory bail cannot be granted in a case of this nature involving grave offences. There is no reason why the petitioner should not seek regular bail after surrendering before the Magistrate concerned. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

With this observation, this petition is dismissed.

V.RAMKUMAR, JUDGE

dsn